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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1645/2019**

NITIN SHARMA

..... Petitioner

Through: Mr Fanish K. Jain, Mr Neeraj Dahiya
and Mr Deepanshu Garg, Advocates
along with applicant in person.

versus

STATE

..... Respondent

Through: Mr Tarang Srivastava, APP for State.
SI Ramesh Kumar, PS Nihal Vihar.
Mr Vivek Kumar Tandon, Advocate
along with complainant in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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01.11.2019

1. The petitioner has filed the present petition seeking anticipatory bail in FIR No. 0058/2018 under Sections 498A/406/34 of the IPC with PS Nihal Vihar, Delhi.
2. Mr Srivastava, learned counsel appearing for the State, states that the petitioner has recently joined the investigation and prior to that, NBWs were issued against him. He also states that the list of *stridhan* articles has been given. However, the petitioner has not returned any of the said article.
3. The learned counsel appearing for the petitioner states that the petitioner has been fully cooperating with the Investigating Officer. He also states that not a single dowry article was exchanged at the time of the marriage since the petitioner had married the complainant against the wishes of their family members and none of his family members had attended the wedding.
4. He also states that he had filed a divorce petition against the

complainant and the same had been decreed as the complainant did not participate in the said proceedings.

5. Mr Tandon, learned counsel appearing for the complainant, states that the petitioner is not appearing in proceedings initiated by the complainant under Section 125 of the Cr.P.C. She states that the next date of hearing in the said matter before the Family Court, Tis Hazari Courts Complex is fixed on 12.12.2019.

6. Mr Tandon also states that the complainant was not aware of the divorce proceedings.

7. The petitioner has volunteered to pay a sum of ₹1,00,000/- to the complainant without prejudice to his rights and contentions within a period of four weeks from today.

8. Considering the averments made and the totality of the case, this Court considers it apposite to allow the present petition, *albeit*, subject to the petitioner making the aforesaid payment and cooperating with the Investigating Officer. The petitioner is granted anticipatory bail on furnishing a personal bond in the sum of ₹10,000/- with one surety of an equivalent amount to the satisfaction of the Investigating Officer.

9. This is also subject to the condition that the petitioner shall appear before the aforesaid Family Court for the hearing scheduled on 12.12.2019.

10. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

NOVEMBER 01, 2019
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